

AMENDED APPLICATION

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office OCT 17 2005
Returned to applicant for correction OCT 25 2005
Corrected application filed OCT 31 2005
Map filed OCT 31 2005

The applicant **DAVID S. MILLER AND MICHELLE M . MILLER** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. **N/A**

1. The source of the proposed appropriation is **UNDERGROUND SOURCE**
2. The amount of water applied for is **0.02 C.F.S.** second-feet
 - (a) If stored in reservoir give number of acre-feet **N/A**
3. The water to be used for **COMMERCIAL PURPOSES**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **N/A**
 - (b) Stockwater, state number and kinds of animals to be watered **N/A**
 - (c) Other use (describe fully under No. 12. "Remarks") **FUTURE DECORATIVE ROCK SALES YARD**
 - (d) Power:
 - (1) Horsepower developed **N/A**
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **WITHIN THE NORTHEAST QUARTER (NE¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 19, T.23S.,R.61E., M.D.M., OR AT A POINT FROM WHICH THE CENTER ONE-QUARTER CORNER (C¼) OF SAID SECTION 19, T.23S.,R.61E.,M.D.M., BEARS N 56°36'23" E 1287.26 FEET.**
6. Place of Use **NORTH HALF (N½) SOUTHWEST QUARTER (SW¼) NORTHEAST QUARTER (NE¼) SOUTHWEST QUARTER (SW¼) SECTION 19, T.23S.,R.61E.,M.D.M. ASSESSOR PARCEL NUMBERS 191-19-301-005 AND 006 4.11 ACRES NET**
7. Use will begin about **JANUARY 1ST** and end about **DECEMBER 31ST** of each year.
8. Description of proposed works **WELL IS EXISTING. INTALL TOTALIZING METER**
9. Estimated cost of works **\$1000.00**

10. Estimated time required to construct works **NONE. WELL IS EXISTING, 945 FEET DEEP, 6 INCH STEEL CASED, 1.5 HP SUBMERSIBLE PUMP, 700 GALLON STORAGE TANK, ¾ HP BOOSTER PUMP AND APPURTENANCES.**

11. Estimated time required to complete the application of water to beneficial use **3 YEARS**

12. Remarks: **WATER TO BE USED FOR A DECORATIVE ROCK SALES YARD. WATER TO BE USED FOR A OFFICE WITH A BATHROOM AND SINK, ONSITE DUST CONTROL, LANDSCAPING AND WETTING DOWN THE MATERIALS FOR TRANSPORT. ESTIMATED USE TO BE A MAXIMUM OF 2 ACRE FEET PER YEAR WHEN FULLY OPERATIONAL.**

By **DAVID S. MILLER**
s/ **David S. Miller**
6955 S. GARY AVENUE
LAS VEGAS, NEVADA 89124

Compared mt/bk lt/gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights and is further subject to revocation if and when water can be furnished by an entity such as a water district or a municipality engaged in furnishing water. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. It is understood that this right must allow for a reasonable lowering of the static water level. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Permit 73348 is granted to provide commercial water service to two parcels described as Clark County Assessor's Parcels 191-19-301-005 and 191-19-301-006

This permit is issued subject to the State Engineer's Amended Order 1054 dated April 15, 1992.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.02 cubic feet per second, and not to exceed 2.02 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

October 10, 2007

Proof of completion of work shall be filed on or before:

November 10, 2007

Water must be placed to beneficial use on or before:

October 10, 2009

Proof of the application of water to beneficial use shall be filed on or before:

November 10, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 10th day of October, A.D. 2006

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____